

BOARD OF MAYOR AND ALDERMEN

April 16, 2002

7:30 PM

Mayor Baines called the meeting to order in joint session with the Library Trustees.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen -
Wihby, Gatsas, Guinta, Sysyn, Osborne, Pinard, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Library Trustees -
Madeleine Roy, Kevin Devine, Roger Duhaime, Karen Sheehan-Lord, Mary
Heath

Mayor Baines recessed the joint session to return to the special public participation meeting.

Mayor Baines called the meeting back to order.

Deputy Clerk Johnson stated that Madeleine Roy's term had expired and that if the Board so chose motions would be in order to nominate and confirm Ms. Roy to succeed herself, term to expire October 1, 2008.

On motion of Alderman Thibault, duly seconded by Alderman Sysyn, it was voted to nominate Madeleine Roy to succeed herself as a member of the Library Trustees.

On motion of Alderman Wihby, duly seconded by Alderman Thibault, it was voted to suspend the rules and confirm the nomination of Madeleine Roy to succeed herself as a member of the Library Trustees.

Mayor Baines advised that Carlos Gonzalez had resigned as a member of the Library Trustees.

On motion of Alderman Lopez, duly seconded by Alderman Pinard, it was voted to accept the resignation with regret.

Alderman Wihby nominated Joan Barrett to succeed Carlos Gonzalez. No other nominations were presented.

On motion of Alderman Wihby, duly seconded by Alderman DeVries, it was unanimously voted to suspend the rules and confirm Joan Barrett to full the unexpired term of Carlos Gonzalez, such term expiring October 1, 2005.

Mayor Baines advised that nominations were in order to replace Scott Ellison on the Library Trustees, term expiring October 1, 2007.

Alderman Forest nominated Joseph Sullivan to succeed Mr. Ellison.

On motion of Alderman Thibault, duly seconded by Alderman Garrity, it was voted close all nominations to the Library Trustees.

On motion of Alderman Forest, duly seconded by Alderman Smith, it was voted to suspend the rules and confirm the nomination of Joseph Sullivan to succeed Mr. Ellison as a Trustee of the Library, term expiring October 1, 2007.

There being no further business to come before the joint session, Mayor Baines thanked the Trustees for attending and adjourned the joint meeting.

Mayor Baines called the regular meeting to order.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Wihby, Gatsas, Guinta, Sysyn, Osborne, Pinard, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Mayor Baines stated, Mr. Brisbin, before you leave I would like to publicly commend Mr. Brisbin and his staff for the wonderful support that they provided us for this One Book, One City Program, they have been most accommodating, they hosted the kick-off for the event and they also made books available in the community and I want to publicly thank you and all of your staff for your cooperation during this project. Thank you very much. It was a great program and we had support from all over the community and I want to thank everyone involved with it.

13. Presentation by Helen Closson updating the Board on the progress of the Hands Across the Merrimack Pedestrian Bridge project.

Mayor Baines advised that the presentation by Helen Closson has been postponed to a later date.

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Minutes Accepted

- A. Copies of BMA minutes of meetings held on February 19, 2002; March 5, 2002 (two meetings); March 12, 2002; and March 19, 2002 (two meetings).

Informational – to be Received and Filed

- C. Communication from Michael Tessier, Executive Director of New Horizons, extending an invitation to Board members to tour their facilities located at 199 Manchester Street.
- D. Communication from the State of NHDES advising Wakefield Materials Corp. that a permit is required from the Wetlands Bureau prior to any work being conducted on property known as Map 890/Lot 21 (Black Brook).

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- E. Resolutions:

“Continuation of the Central Business Service District.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Five Thousand Dollars (\$65,000) for the 2000 CIP 410900 Gang Interdiction Program.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Sixteen Dollars and Thirty Seven Cents (\$216.37) for the 2000 CIP 420700 Bulletproof Vest Program.”

“Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand One Hundred Seventy Dollars (\$27,100.00) for the 2001 CIP 220301 Homeless Health Care Program.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Three Hundred Sixty Four Dollars (\$10,364.00) for the 2002 CIP 210402 Homeless Health Care Program.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000) for the 2002 CIP 411902 Operation Streetsweeper Phase 1 Program.”

“Amending the FY 2000 & 2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY 2002 CIP 212602 – MCCY Mini-Grant Project.”

“Amending the 2001 & 2002 Community Improvement Program, transferring and authorizing and appropriating funds in the amount of Fifty Thousand dollars (\$50,000) for the 2002 CIP 711902 Chlorine Building Floor Replacement Project.”

“Authorizing the Finance Officer to effect a transfer of Ten Thousand Dollars (\$10,000) from Contingency to Traffic for the Middle Lot meters.”

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- F.** Recommending that the Election Worker’s Compensation proposals submitted by the Office of the City Clerk be referred to the Committee on Finance for the FY2003 budget deliberations (enclosed).
- G.** Advising that it has reviewed information relating to tattoo parlors and recommends that amendments to the City’s Code of Ordinances and the City’s Zoning Ordinance be referred to the Committee on Bills on Second Reading for technical preparation and review as follows:

“Amending Chapter 130: General Offenses of the Code of Ordinances of the City of Manchester by repealing Section 130.10 Tattooing in its entirety.”

“Amending the Zoning Ordinance of the City of Manchester to include a new use group category for Tattoo Parlors, inserting changes to Table 5.10, adding supplementary regulations for tattoo parlors, and providing for location restrictions so as to prohibit such parlors within 600 feet from each other and not less than 500 feet from a Residential or Civic Zone.”

The Committee notes that information regarding such amendments is enclosed herein.

COMMITTEE ON COMMUNITY IMPROVEMENT

- I.** Recommending that a request from Jay Taylor for approval of a proposed financial transaction which would encompass a \$750,000 loan to LaPlume Realty, LLC (owner of NE Tanya Finishes, Inc. facility) by MDC to pay off an existing mortgage and other expenditures; such loan to be immediately purchased by the NH Business Finance Authority resulting in maintaining 18 jobs, payment of property taxes and an estimated receipt of \$7,500 by MDC in the first year for facilitating the transaction be granted and approved.
- J.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$65,000 for FY2000 CIP 410900 Gang Interdiction Program and for such purpose a resolution and budget authorization has been submitted.
- K.** Recommending that the Board authorize acceptance and expenditure of additional funds in the amount of \$216.37 for FY2000 CIP 420700 Bulletproof Vest Program and for such purpose a resolution and budget authorization has been submitted.

- L.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$27,170 for FY2001 CIP 220301 Homeless Health Care Program and for such purpose a resolution and budget authorization has been submitted.
- M.** Recommending that the Board authorize acceptance and expenditure of additional funds in the amount of \$10,364 for FY2002 CIP 210402 Homeless Health Care Program and for such purpose a resolution and budget authorization has been submitted.
- N.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$30,000 for the FY2002 CIP 411902 Operation Streetsweeper Phase 1 Program and for such purpose a resolution and budget authorization has been submitted.
- O.** Recommending that the Board authorize transfer and expenditure of funds in the amount of \$1,000 in CDBG funds from 212602 MCCY Mini-Grant to 820200 Community Development Initiatives; and further transferring \$1,000 in Cash funds from 820200 Community Development Initiatives to 212602 MCCY Mini-Grant and for such purpose a resolution and budget authorizations have been submitted.
- P.** Recommending that the Board authorize transfer and expenditure of \$50,000 in EPD funds from the 740301 Construction S. Mammoth Road Sewer Phase IA to 711902 Chlorine Building Floor Replacement and for such purpose a resolution and budget authorization has been submitted.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- Q.** Recommending that a request to close Elm Street, from Webster Street to Veteran's Park on Monday, May 27 from 1:30 PM until 3 PM for the annual Memorial Day Parade be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.
- T.** Recommending that a request to close Elm, Concord and Spring Streets on Sunday, June 23, 2002 from 1:30 PM to 2:30 PM for the State American Legion Parade be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Department.
- V.** Recommending that certain regulations governing standing, stopping and parking, be adopted and put into effect when duly advertised.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN WIHBY, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- B.** Communication from Alderman Gatsas relative to the use of the Carol M. Rines Center by the City's senior citizens.

Alderman Gatsas stated I would have thought that by now we would have had some communication, I thought we were coming to this full Board and this meeting in regard to this issue. I understand there were Purchase and Sales Agreements and...

Mayor Baines replied yes, that's tonight. It's going to be under new business. I sent a letter out to the Board this weekend indicating that it would be coming to the Board this evening, so that will be tonight.

Alderman Lopez moved to receive and file the communication from Alderman Gatsas.

Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

Report of the Committee on Bills on Second Reading:

- H. Advising that they have asked the City Solicitor and department heads to review all additional materials, comments and amendments that were made regarding the proposed Responsible Employer Ordinance and make a recommendation to the full Board of Mayor and Aldermen.

Alderman Gatsas stated I assume the department heads are here to respond to the letter that I received from them so that we can bring this out and make a decision one way or the other.

Mayor Baines stated it is my recommendation that this be tabled and we are working with the department heads...I know that Frank Thomas is going to be convening another meeting to go over the proposed ordinance and to make recommendations to the Board. So, I recommend we table that this evening.

Alderman O'Neil moved to table the report of the Committee on Bills on Second Reading.

Alderman Lopez duly seconded the motion.

Alderman Gatsas stated a parliamentary question. Your Honor, if I were to, if I wanted to vote in favor of receiving and filing would I vote no at this time.

Mayor Baines replied yes because if it fails to table then it would be back on the floor.

A roll call vote was taken on the motion to table. Aldermen Gatsas, Guinta, Sysyn, Osborne, Pinard and Garrity voted nay. Alderman O'Neil, Lopez, Shea, DeVries, Smith and Thibault voted yea. Alderman Wihby abstained. The motion to table failed.

Alderman Gatsas moved to receive and file the report of the Committee on Bills on Second Reading. Alderman Guinta duly seconded the motion. A roll call vote was taken. Aldermen O'Neil, Lopez, Shea, DeVries, Smith and Thibault voted nay. Aldermen Garrity, Forest, Gatsas, Guinta, Sysyn, Osborne and Pinard voted yea. Alderman Wihby abstained. The motion to receive and file the report carried.

Report of the Committee on Traffic/Public Safety:

- R. Recommending that a request from Intense Motorsports to close Willow Street at 25-minute intervals on Saturday, June 8, 2002 from 12:00 PM until 5:00 PM in conjunction with their Open House be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and risk Departments.

Alderman DeVries stated I am looking for clarification on this item. It's speaking of a street closure, South Willow Street at 25-minute intervals, is there anybody here that could address just to clarify...are we shutting down South Willow Street for 25 minutes at a time or...

Deputy Clerk Johnson replied it's not South Willow Street it's Willow Street.

Alderman DeVries stated okay it's Willow, not South Willow.

Mayor Baines asked is there anybody here who would like to try to respond to this.

Alderman Forest stated apparently this Intense Motorsports is doing a pro motorcycle demonstration, they're bringing in professionals to do a demonstration. They want to close off Willow Street in front of their store and that would be between the car wash and the little street by the car wash. They originally wanted to go to City Fuel. The Traffic Committee suggested that they go right to the next street, it's Shasta and they will be closing it at 25-minute intervals. They're going to have police protection, they going to have barricades, they have insurance and all this stuff, so we recommended that it be approved and the Police Department and Highway Department have already okayed it.

Mayor Baines asked, Chief Driscoll, would you like to add to that.

Chief Driscoll replied no, I think he's pretty well covered it although I have some anxiety about this also. We have again sent our people down to speak with the folks that working through this. Unless it's satisfactory we're going to be very resistant to having something that wouldn't be appropriate on Willow Street. So, you can be very sure that we'll keep a very close eye on this. Last year, there was an event there...we only found out after-the-fact and it was probably not appropriate for a City street. So, we'd like to see the event occur, but we want to see it occur in safety, so that's the issue.

Alderman Garrity stated I think that was pretty much the motion at the Traffic/Public Safety meeting, it was to put it in the hands of the Police Department, work out the details with the owners and the sponsors of the event.

Alderman Garrity moved to accepted, receive and adopt the report of the Committee on Traffic/Public Safety. Alderman Forest duly seconded the motion. There being none opposed, the motion carried.

Report of the Committee on Traffic/Public Safety:

- S. Recommending that a request to close Notre Dame Avenue, between Amory and Wayne Streets on Sunday, June 9, 2002 for the Saint Marie Parish Festival be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.

Alderman Forest stated this came before the Traffic Committee at our last meeting. Saint Marie's, I believe, wanted to close off Notre Dame Avenue between Wayne and Amory. I believe we voted at the Aldermanic meeting due to the fact that Wayne Street is a dead end on either end that a lot of that traffic would have to be diverted to a back street and we recommended and Tom Lolicata and Lt. Lussier agreed that we extend their closing to Putnam Street, therefore, it wouldn't affect the traffic as much, they'd have a way to go and they wouldn't be backed up at Wayne Street which is the only thing I wanted to change.

Alderman Forest moved to amend the report to reflect the change to extend to Putnam Street. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Alderman Smith moved to accept, receive and adopt the 2nd report of the Committee on Traffic/Public Safety as amended. Alderman Garrity duly seconded the motion. There being none opposed, the motion carried.

Report of the Committee on Traffic/Public Safety

- U. Recommending that the Board of Mayor and Aldermen approve a 50/50 revenue and expenditure split with the Center of New Hampshire Garage for event nights. The Committee recommends that the City Solicitor be authorized to prepare an amendment to the Center of new Hampshire Garage Operating Agreement providing for such arrangement; and further recommends that the Mayor be authorized to execute such amendment to the Agreement subject to the review and approval of the City Solicitor.

Alderman DeVries stated once again I'm looking to traffic to clarify...this is expressing a 50/50 revenue expenditure split and I just didn't find the supporting documentation gave me enough background on that.

Alderman Guinta stated we had the meeting earlier last week and both the City and the Center of NH had previously discussed the 60/40 split and had agreed to the two of 50/50 split essentially and that had been done prior to the Traffic Committee meeting. It was then brought forward to the Traffic Committee meeting. The Center of NH was represented, the City was represented and neither party objected to this new agreement.

Alderman DeVries stated so this is a change in the prior business agreement that we had with the Center of NH.

Alderman Guinta replied technically yes. It was an on-going discussion as to what to do post civic center in terms of parking revenue and the negotiations had been on-going and the agreement reached was a 50/50 split.

Alderman DeVries stated this is being done on advice from staff.

Alderman Guinta replied both from staff and from the Center of NH.

Alderman Garrity moved to accept, receive and adopt the 3rd report of the Committee on Traffic/Public Safety. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

15. Copy of a communication from Jane Beaulieu advising of her resignation as a member of the Manchester Conservation Commission effective April 4, 2002.

On motion of Alderman Lopez, duly seconded by Alderman Pinard, it was voted to accept the resignation with regret. Alderman Shea requested a letter be forwarded to Ms. Beaulieu for her services to the City.

17. A report of the Committee on Community Improvement was presented recommending that the Board authorize transfer and expenditure of funds in the amount of \$15,000 in Cash from 510902 Livingston Park Pool & Bathhouse to 511702 Prout Park Improvements-Design Project and for such purpose a resolution and budget authorizations have been submitted.

Alderman O'Neil moved to accept, receive and adopt the report of the Committee on Community Improvement. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

A second report of the Committee on Community Improvement was presented recommending that a total of \$62,338.38 be transferred from projects as follows:

from: 1998 210209 Court Directed Alcohol Education - \$2,338.38
2001 650501 Civic Center Area Revitalization Strategy - \$50,000.00
2002 215102 Respite Daycare for Homeless Children - \$10,000

to: 2022 511602 Gill Stadium Improvements Project \$62,338.38

and for such purpose an amending resolution and budget authorization have been submitted.

Alderman O'Neil moved to accept, received and adopt the second report of the Committee on Community Improvement. Alderman Osborne duly seconded the motion.

Alderman O'Neil asked do we know a time frame, this has been around, they should have been getting ready for it. Do we know a completion date?

Mr. Ludwig replied we have already bid the painting and the cleaning up of the underneath side of the roof and we could ask that person to start work tomorrow.

Alderman O'Neil stated give me a ballpark completion time.

Mr. Ludwig replied we have not... we have a bid prepared, but we have not gone out to bid for the actual netting at this point.

Alderman O'Neil reiterated give me a date, give me a month.

Mr. Ludwig replied I would think within a month.

Alderman O'Neil stated that it will be complete.

Mr. Ludwig replied it will be close, yes.

Alderman O'Neil stated so it's mid-April now, so no later than the end of May.

Mr. Ludwig replied yes, that's safe.

Alderman Smith asked, Ron, in regard to this as you are well aware they will have to take down a back stop screen to put in a net so it won't interfere with the high school baseball games will it?

Mr. Ludwig replied we'll have to work around it, Alderman Smith, with the contractor...he's aware of that, but if we have to do it in-house we'll do it and make provisions on a temporary basis, if we have to.

Alderman Smith stated that you for all of your considerations.

Mayor Baines called for a voted on the motion to accept the second report. There being none opposed, the motion carried.

A third report of the Committee on Community Improvement was presented advising that the Committee has approved the enclosed summary of FY2002 and FY2003 MER requests submitted by the Highway Department.

Alderman O'Neil moved to accept, receive and adopt the third report of the Committee on Community Improvement. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

Resolutions:

“Amending the FY1998, FY2001 and FY2002 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Sixty Two Thousand Three Hundred Thirty Eight Dollars and Thirty Eight Cents (\$62,338.38) for FY2002 CIP 511602 Gill Stadium Improvements Project.”

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Fifteen Thousand Dollars (\$15,000.00) for FY02 CIP 511702 Prout Park Improvements-Design Project.”

On motion of Alderman Osborne, duly seconded by Alderman O’Neil, it was voted that the Resolutions be read by titles only, and it was so done.

Alderman Osborne moved that the Resolutions be referred to the Committee on Finance.
Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

Nominations were then presented by Mayor Baines.

Building Board of Appeals:

Robert Bussiere and Stephen Clayman to succeed themselves, terms to expire January 8, 2005.

Alderman Pinard moved to suspend the rules and confirm the nominations of Robert Bussiere and Stephen Clayman to succeed themselves to the Building Board of Appeals..
Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Art Commission:

Peter Ramsey to fill a newly-created position, term to expire three years from the date of his confirmation.

Alderman Lopez moved to suspend the rules and confirm the nomination of Peter Ramsey to fill a newly-created position as a member of the Art Commission, term to expire April 16, 2005. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEM

On motion of Alderman DeVries, duly seconded by Alderman O’Neil, it was voted to remove the following item from the table for discussion.

18. Communication from Alderman Garrity requesting that the Board ask the Board of School Committee to either unfreeze approximately \$482,000.00 allowing that it be expended for SCOP projects chosen by the School Board, or be turned over to the City as unused funds for projects not completed.
(Tabled 02/06/02)

Alderman Thibault moved to refer the communication from Alderman Garrity to the Committee on Finance for discussion with Item 3. Alderman O'Neil duly seconded the motion. There being none opposed, the motion carried.

On motion of Alderman Pinard, duly seconded by Alderman Osborne, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

OTHER BUSINESS

21. A report of the Committee on Finance was presented recommending that Appropriating Resolutions:

“A Resolution appropriating to the Manchester Aggregation Program the sum of \$764,816 from Aggregation Fees for the Fiscal Year 2003.”

“A Resolution appropriating to the Manchester Airport Authority the sum of \$41,938,254 from Special Airport Revenue Funds for Fiscal Year 2003.”

“A Resolution appropriating to the Central Business Service District the sum of \$205,833 from Central Business Service District Funds for Fiscal Year 2003.”

“A Resolution appropriating the sum of \$2,686,167 from Recreation User Charges to the Recreation Division for Fiscal Year 2003.”

“A Resolution appropriating the sum of \$13,941,680 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2003.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2002 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Finance Agreement.”

“A Resolution appropriating to the Manchester Transit Authority the sum of \$725,000 for the Fiscal Year 2003.”

“A Resolution appropriating to the Manchester School Food and Nutrition Services program the sum of \$4,750,000 from School Food and Nutrition Services Revenues for Fiscal Year 2003.”

“A Resolution appropriating to the Manchester School District the sum of \$121,148,267 for the Fiscal Year 2003.”

“Raising Monies and Making Appropriations for the Fiscal Year 2003.”

be referred to a public hearing on Monday, May 6, 2002 at 7 PM in the Aldermanic Chambers, City Hall.

Alderman Shea moved to accept, receive, and adopt a report of the Committee on Finance. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

A second report of the Committee on Finance was presented recommending that Resolutions:

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Five Thousand Dollars (\$65,000) for the 2000 CIP 410900 Gang Interdiction Program.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Sixteen Dollars and Thirty Seven Cents (\$216.37) for the 2000 CIP 420700 Bulletproof Vest Program.”

“Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand One Hundred Seventy Dollars (\$27,100.00) for the 2001 CIP 220301 Homeless Health Care Program.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Three Hundred Sixty Four Dollars (\$10,364.00) for the 2002 CIP 210402 Homeless Health Care Program.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000) for the 2002 CIP 411902 Operation Streetsweeper Phase 1 Program.”

“Amending the FY 2000 & 2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY 2002 CIP 212602 – MCCY Mini-Grant Project.”

“Amending the 2001 & 2002 Community Improvement Program, transferring and authorizing and appropriating funds in the amount of Fifty Thousand dollars (\$50,000) for the 2002 CIP 711902 Chlorine Building Floor Replacement Project.”

“Authorizing the Finance Officer to effect a transfer of Ten Thousand Dollars (\$10,000) from Contingency to Traffic for the Middle Lot meters.”

“Amending the FY1998, FY2001 and FY2002 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Sixty Two Thousand Three Hundred thirty Eight Dollars and Thirty Eight Cents (\$62,338.38) for FY2002 CIP 511602 Gill Stadium Improvements Project.”

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Fifteen Thousand Dollars (\$15,000.00) for FY02 CIP 511702 Prout Park Improvements-Design Project.”

ought to pass and be enrolled.

Alderman Smith moved to accept, receive and adopt a second report of the Committee on Finance. Alderman Gatsas duly seconded the motion. There being none opposed, the motion called.

Mayor Baines stated before I forget there are tickets available for the Monarchs game on Wednesday night, we heard that there are over 3,000 tickets available. A lot of people think it was sold out, so if you're listening at home go buy your ticket.

- 22.** A report of the Committee on Lands and Buildings was presented recommending that the Welfare Commissioner be authorized to execute a lease agreement between the City of Manchester Welfare Department and Manchester Neighborhood Housing Services, Inc. for 22 units of space initiating July 1, 2002 at a cost not to exceed \$190,000 subject to the review and approval of the City Solicitor. The Committee notes that they have enclosed information relating to stipulations of the agreement and analysis conducted by the City Auditor.

Alderman Lopez moved to accept, receive and adopt the report of the Committee on Lands and Buildings. Alderman Thibault duly seconded the motion.

Alderman Guinta asked what is the motion on the floor.

Deputy Clerk Johnson replied to accept the report.

Alderman DeVries stated by accepting the report though we are recommending that it go forth.

Deputy Clerk Johnson replied yes that is correct.

Alderman DeVries stated this would be the time for discussion. I do believe that we covered, when we were in Committee with Lands and Buildings some...it might be helpful to have Paul Martineau come back up to clarify a couple of items. For clarification of the other Board members that may not have heard the discussion...you're proposing \$190,000 a year agreement to offset the purchase price of the building, you expressed to me that offsetting that cost is a projected revenue of approximately \$90,000 yearly...

Commissioner Martineau interjected I'd like to clarify that, I misspoke, I grabbed the wrong number when I was reading the letter right off the top and the savings are about \$33,000. The revenue will be about \$33,000 a year which drops the cost, but still brings it to around \$160,000...about 8.8 clients is the breakeven point.

Alderman Wihby asked what's the breakeven point?

Commissioner Martineau replied that's the number of clients you have to average a day...

Alderman Wihby asked what is it?

Commissioner Martineau replied around 8.8 clients.

Alderman Smith asked can you tell me what's the rent we're paying down there on Lowell Street now or where you're situated, the Welfare Department.

Commissioner Martineau replied the rent that I'm paying now is about \$3,800 plus OYS is paying about \$1,800...about \$5604, but as you know our lease expires at the end of this month.

Mayor Baines interjected but this is not what we are discussing here.

Alderman Smith stated if you'd let me lead into it. What I'm getting at is you have French Hall.

Commissioner Martineau stated that has been closed since March 27th, no longer operational.

Alderman Smith stated you have no intention of moving the Welfare Department anyplace this is just for the homeless...this particular project.

Commissioner Martineau replied Manchester Neighborhood Housing approached us, they are in the process of purchasing or negotiating with Notre Dame College for buying the Straw Manor and the Uptown Motel which is behind Pappy's Pizza which is 22 units. They indicated that it will take them about a year to get their grants and so forth in place before they can do renovations to make it low-income housing. They are proposing to lease it to the Welfare office for \$190,000 which is all inclusive...in other words, they are going to handle the management, the maintenance, repairs, upkeep and so forth. If, based on their projections, as far as insurance and other costs, if there is any excess funds...this is all inclusive that the excess funds would be returned to the Welfare Department. So, what will happen is we will be able to use those units exclusively to handle people that we are presently putting in hotels and motels. So, we won't be using the Queen City or the Rice Hamilton. This will be our means of controlling some of this. I indicated at the Lands and Buildings Committee meeting that so far since July of last year through mid-April of this year we have spent \$372,420 in hotel and motel rental fees. This is a means to realize some economies here.

Alderman Gatsas stated I apologize for this evening not being present at Lands and Buildings where I could have gotten some of these questions answered and if you'd just bear with me for a second...I hear you mention the Rice Hamilton House. Why aren't those assumptions based in your economic numbers, why is it just the Queen City Motel.

Commissioner Martineau replied the Rice Hamilton House is rarely used. They try to use the Queen City Motel exclusively...there's a couple of cases that, I believe, are not allowed into the Queen City anymore, so they have to be in Rice but generally they put the majority of the people into the Queen City and I believe you have the same deal on price with both hotels now. As a matter of fact the price at the Rice Hamilton fluctuates, but the thing there is they have a different configuration. If you go down to the Queen City Motel, you walk in there and it's just one room with a bed, a small bathroom and a dresser drawer. Over there if there is a family that's got more kids they have more flexibility, they have more rooms there.

Mayor Baines stated so the answer there is that is it wasn't utilized much.

Alderman Gatsas stated the rooms at the Uptown...there are 22 single units.

Commissioner Martineau replied that is correct.

Alderman Gatsas stated they're just rooms.

Commissioner Martineau stated I think on the first floor and the second floor there's two units that can be connected, so you could connect two rooms.

Alderman Gatsas stated I'm not going to get into why we didn't look at it as a purchase because it looks like \$190,000 would have carried a debt service that would have been sufficient to do renovations and the City could have owned it and continued with the Welfare situation and probably had even a better revenue response than the \$190,000 because I look at \$190,000 and I say that the debt service...I don't know what was paid for that building, I have no idea. I'm just looking and saying that's about \$720 per month, per unit. I would think, correct me if I'm wrong Kevin, a \$190,000 would probably amortize a debt that we could [at the City side] of somewhere around \$2 million.

Mr. Clougherty stated that is right.

Alderman Gatsas stated I don't think the cost of that building was \$2 million.

Commissioner Martineau stated there's not just the motel. They're also buying the Straw Manor which is part of that...

Alderman Gatsas stated you're not participating in the Straw Manor.

Commissioner Martineau replied no.

Alderman Gatsas stated I'm saying the \$190,000 that the City is paying for rent is basically for 22 rooms. I'm not saying that it's not a better deal than the Queen City, but I would think

that it should be the best deal for the City especially with the financing that we look at from the City side to the agency side that receives the money. So, I would think that there should be some profit for management, but it kind of sounds like there is a lot of money in there to cover debt service and repairs. I'm just looking at the numbers.

Commissioner Martineau stated maintenance services, the utilities, repairs and upkeep, snow removal, extermination...and then the other thing is it stipulates that if the actual cost at the end of the lease period are lower than projected excess funds would be returned to the Welfare Department.

Alderman Gatsas stated I'm not questioning that. I'm saying that the number that I'm looking at must be much in excess of debt service to the agency that's supplying it to you.

Mayor Baines asked, Mr. Clougherty, would you like to respond.

Mr. Clougherty stated I think the point the Alderman is making is that if the City bought the building, the amount that you would be paying in debt service might be less than what you would be paying for your contract to rent some of the rooms. My understanding is the City did not get involve in the discussion about the purchase, this was something that was brought to the Welfare Commissioner and I think that the point that the Alderman is making is that the lowest rate we can get because there might be some profit built in there to cover the debt service for the other agency to buy the building.

Alderman Gatsas stated I think the second point, Mayor, without me trying to be too blunt but maybe being blunt is a little easier...is that the financing opportunities that we as a City extend to that agency, I would think that in the times that we have a shortfall at the Welfare Department should certainly be reciprocated and I'm just looking at the \$190,000 number and saying that seems like it's an excess of being reciprocal to what the City does. That is my question...my question is did we negotiate the deal or just take the deal.

Commissioner Martineau replied it was presented to us.

Alderman Gatsas stated so we didn't negotiate it.

Commissioner Martineau stated no it was presented to us and the way I look at it you're talking this year we're going to be close to \$400,000 in hotels and motels...last year it was \$319,000. So, what I'm saying is basically here is an avenue for us to make some economies here. Now, whether you people want to buy or negotiate to buy it...

Alderman DeVries asked, Paul, didn't they at first come up with a higher figure and we rejected that and then they came up with \$190,000.

Commissioner Martineau replied initially they wanted to lease the towers also, the Straw Manor but we ended up just taking the motel portion.

Alderman Gatsas moved to go back and negotiate with the agency noting the City is always gratuitous in the projects that they bring forward to us.

Mayor Baines stated we have a report, so I think the first thing you have to do is to table the report and then there could be a motion...would that be correct procedurally?

Alderman Gatsas moved to table the report of the Committee on Lands and Buildings. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

Alderman Gatsas moved that the Department of Welfare sit down and renegotiate a contract with the agency to see if the City can get better consideration for what the terms are here for the things that the agency receives from the City. Alderman O'Neil duly seconded the motion.

Alderman Thibault asked isn't there some kind of restraint there, Paul, a time frame?

Commissioner Martineau replied I think they needed an answer by the end of the month so they can set together the package on how they are going to finance it.

Alderman Thibault stated that was my only question, what can we do to expedite it so that we could do it within that time frame, is that a possibility?

Mayor Baines stated we have a lot of meetings that are coming up over the next few weeks, so if we wanted to add this to an agenda we could do so.

Alderman Gatsas stated maybe you could set up a subcommittee or Chairman O'Neil can set up a subcommittee to sit with the agencies to participate in the negotiations.

Mayor Baines stated you could do that, you already have subcommittees. You have the Lands and Buildings Committee which is in charge of this.

Mayor Baines stated there is a motion on the floor and maybe we could have that referred back to the Committee on Lands and Buildings, could we do that?

Alderman Gatsas stated I don't have a problem accepting that, your Honor, I was just trying to do it a little quicker.

Mayor Baines stated as you seconded the motion, Alderman O'Neil, would you accept that as well.

Alderman O'Neil stated Alderman Gatsas is a member of Lands and Buildings, I believe.

Alderman Gatsas stated I believe if you wanted to have just a couple of Aldermen to sit so that we don't have to go through the committee process to have them come in.

Commissioner Martineau stated the committee is probably not going to be meeting until next month probably.

Alderman Gatsas stated I don't have a problem.

Alderman O'Neil in addressing Tom or Carol asked are we allowed to set up a special committee that reports directly back to the Board and not have to go through the committee process.

Solicitor Clark replied yes, the Board has the authority to do that.

Mayor Baines stated that is the authority of the Chairman of the Board, am I correct. So, why don't we ask the Chairman of the Board to appoint a couple of Aldermen to sit down with the Welfare Commissioner to do that, would that be okay as part of your motion.

Mayor Baines requested representatives of Manchester Neighborhood Housing Services to approach, give their names and address the Board.

Ms. Sal Stephen-Hubbard stated I'm the Deputy Director for Neighborhood Development with Manchester Neighborhood Housing Services. I've been working with the Welfare Commissioner on this proposal and in two weeks Manchester Neighborhood Housing Services will have to make a go, no go decision in terms of moving ahead on this acquisition because we'll have to put down an additional non-refundable deposit at that time, so that's why I may look a little concerned about the timing.

Mayor Baines stated accept that the Board does have the ability to do phone polls as we've done in the past as well.

Alderman O'Neil asked do you know that the money that you'd be using to secure, is that money HOME funds or another source of City funding.

Ms. Stephen-Hubbard replied it's not City funding, it's Manchester NHS funding. We don't have any City funding for something that we don't have nailed yet. So, we use our own funds for that.

Alderman O'Neil asked so at what point do you come back for City funding then?

Ms. Stephen-Hubbard replied I believe that in the CIP budget there is some funding for the redevelopment of these properties for HOME funds and we may have to come back for other than what is being budgeted for this year, but the year between acquisition and construction is when we start pulling together...when we actually pull together all the financing that's required for a project of this kind.

Alderman O'Neil stated so City money is not...when I say City money, City funds...generally HOME funds or other funds, Block Grants...you do not use those funds to purchase properties.

Ms. Stephen-Hubbard replied we have once or twice in the past, it's very unusual. Usually we use HOME funds in the construction phase.

Alderman DeVries stated this is a one-year time frame that you're looking at while you go out for grants to secure the building for your purposes and your purposes would be for low-income housing or for needs similar to welfare.

Ms. Stephen-Hubbard stated we're looking at doing low-income housing using HOME funds, low-income housing tax credits, other grant programs.

Alderman DeVries asked is it feasible that years from now that you will taking people, continue to take people off the rolls of welfare and continue to supplement the welfare needs or...

Ms. Stephen-Hubbard replied yes, I think that what we provide is safe, decent and affordable housing for folks who are low-income, so I would think that although many of them are working people, many of them also could be on welfare.

Alderman DeVries stated I guess that is what I'm trying to bring out is the point that I don't know that we as a Board have really considered that. Certainly, this may be not the most cost-effective means for us over the course of one year, but if over the course of many years it does pay the City back...Commissioner, if I could ask you, are you prepared to weigh in on that. Did you see this as a, did you recognize this as something that would offset future years.

Commissioner Martineau replied obviously there are people that have Section 8 and they can't find apartments, so if this would provide them a means of affordable housing.

Alderman DeVries asked are you furthering negotiations with them to extend into future years.

Commissioner Martineau replied not really. What we've been talking about is this particular project that was put before us.

Alderman DeVries stated if I could ask you...clarification of some numbers that came forth at committee because I just caught you earlier referencing last year's expenses for what you had spent at \$319,000. This current year being \$372,000, last year being \$319,000...I think when we were at committee when I had asked the question you had referenced \$153,000 and then in 2000 at \$73,000...so, it looks like we may need to revisit those numbers so we can get a better picture of what welfare costs have actually been over the last few years. So, it's \$372,000 currently that you've spent, \$319,000 last year, year prior 2001 \$153,000 and \$76,900 was the year 2000.

Alderman Guinta asked how much is NHS paying for the building.

Ms. Stephen-Hubbard replied it's a package deal. For both buildings we are paying in excess of a million dollars.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Alderman O'Neil asked would it be appropriate to appoint the two members?

Mayor Baines replied yes it would.

Alderman O'Neil named Alderman Gatsas and Alderman DeVries to the subcommittee as outlined above.

23. Ordinances:

"Amending Chapter 32, Art Commission, Section 32.026 Appointment of Members, of the Code of Ordinances of the City of Manchester."

"Amending Section 33.024 (Part-time Police Officers) of the Code of Ordinances of the City of Manchester."

"Amending Sections 33.024, 33.025 and 33.026 (Airport Shift Supervisor, Airport Communications/Operations Specialist) of the Code of Ordinances of the City of Manchester."

"Amending Sections 33.024, 33.025 and 33.026 (Licensed Practical Nurse, Airport Security Specialist) of the Code of Ordinances of the City of Manchester."

“Amending Sections 33.027 (D) and 33.027 (F), Employee Recruitment and Selection of the Code of Ordinances of the City of Manchester.”

“Amending Chapter 38: Code Enforcement of the Code of Ordinances of the City of Manchester by inserting new penalties in Section 38.06(A): Citation Penalties for various violations of Chapter 91: Health and Sanitation.”

“Amending Title V: Public Works and Title XIII: General Offenses of the Code of Ordinances of the City of Manchester by removing Chapter 50: Solid Waste and Chapter 130: Littering and placing these sections within Chapter 91: Health and Sanitation.”

“Amending Chapter 92: Fire Prevention of the Code of Ordinances of the City of Manchester by increasing the charges in Sections 92.22(C) and 92.22(D) for fire alarm system inspections performed by the Manchester Fire Department.”

“Amending the Code of Ordinances of the City of Manchester by inserting a new subsection to Section 97.24 Encumbrances Prohibited relating to newspaper distribution boxes.”

Alderman Thibault moved to dispense with the reading by titles only of the ordinances.

Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

These ordinances having been presented for their second reading by titles only, Alderman Sysyn moved on passing same to be enrolled. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

On motion of Alderman Pinard, duly seconded by Alderman Thibault, it was voted to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

Mayor Baines called the meeting back to order.

- 26.** A report of the Committee on Accounts, Enrollment and Revenue Administration was presented advising that Ordinances:

“Amending Chapter 32, Art Commission, Section 32.026 Appointment of Members, of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.024 (Part-time Police Officers) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 and 33.026 (Airport Shift Supervisor, Airport Communications/Operations Specialist) of the Code of Ordinances of the City of Manchester.”

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are properly enrolled.

Alderman Shea moved to accept, receive and adopt the report of the Committee on Accounts, Enrollment and Revenue Administration. Alderman DeVries duly seconded the motion. There being none opposed, the motion carried.

- 27.** Communication from Kevin Dillon, Airport Director, requesting authorization to negotiate and execute the sale of Airport-owned Manchester-Lawrence Railroad Right-of-Way sections (60.2+/- acres) to the NHDOT.

Alderman Thibault moved to authorize the Airport Director to negotiate and execute the sale of land, subject to the review and approval of the City Solicitor. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

- 28.** Communication from the Ward 7 Selectmen requesting that the polling location be moved from Hallsville School to the St. Anthony Community Center.

Alderman Shea moved to approve the relocation of the Ward 7 polling location from Hallsville School to the St. Anthony Community Center. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

- 29.** Communication from the Ward 9 Selectmen requesting that the polling location be moved from the Bishop O’Neil Youth Center to the Blessed Sacrament Hall.

Alderman Garrity moved to approve the relocation of the Ward 9 polling location from the Bishop O’Neil Youth Center to the Blessed Sacrament Hall. Alderman DeVries duly seconded the motion. There being none opposed, the motion carried.

- 30.** Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

On motion of Alderman Lopez, duly seconded by Alderman Sysyn, it was voted to commit the warrant in the amount of \$94,397.22 to the Tax Collector under the Hand and Seal of the Board of Mayor and Aldermen.

- 31.** Ordinances:

“Amending Chapter 32, Art Commission, Section 32.026 Appointment of Members, of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.024 (Part-time Police Officers) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 and 33.026 (Airport Shift Supervisor, Airport Communications/Operations Specialist) of the Code of Ordinances of the City of Manchester.”

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“Amending Chapter 92: Fire Prevention of the Code of Ordinances of the City of Manchester by increasing the charges in Sections 92.22(C) and 92.22(D) for fire alarm system inspections performed by the Manchester Fire Department.”

“Amending the Code of Ordinances of the City of Manchester by inserting a new subsection to Section 97.24 Encumbrances Prohibited relating to newspaper distribution boxes.”

Alderman Thibault moved to dispense with the reading by titles only of the ordinances.

Alderman DeVries duly seconded the motion. There being none opposed, the motion carried.

These ordinances having had their third and final reading by titles only, Alderman Pinard moved that the ordinances pass and be ordained. Alderman Forest duly seconded the motion. There being none opposed, the motion carried.

32. Resolutions:

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Five Thousand Dollars (\$65,000) for the 2000 CIP 410900 Gang Interdiction Program.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Sixteen Dollars and Thirty Seven Cents (\$216.37) for the 2000 CIP 420700 Bulletproof Vest Program.”

“Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand One Hundred Seventy Dollars (\$27,100.00) for the 2001 CIP 220301 Homeless Health Care Program.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Three Hundred Sixty Four Dollars (\$10,364.00) for the 2002 CIP 210402 Homeless Health Care Program.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000) for the 2002 CIP 411902 Operation Streetsweeper Phase 1 Program.”

“Amending the FY 2000 & 2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY 2002 CIP 212602 – MCCY Mini-Grant Project.”

“Amending the 2001 & 2002 Community Improvement Program, transferring and authorizing and appropriating funds in the amount of Fifty Thousand dollars (\$50,000) for the 2002 CIP 711902 Chlorine Building Floor Replacement Project.”

“Authorizing the Finance Officer to effect a transfer of Ten Thousand Dollars (\$10,000) from Contingency to Traffic for the Middle Lot meters.”

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Fifteen Thousand Dollars (\$15,000.00) for FY02 CIP 511702 Prout Park Improvements-Design Project.”

“Amending the FY1998, FY2001 and FY2002 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Sixty Two Thousand Three Hundred Thirty Eight Dollars and Thirty Eight Cents (\$62,338.38) for FY2002 CIP 511602 Gill Stadium Improvements Project.”

Alderman Osborne moved to dispense with the reading by titles only of the resolutions.

Alderman Wihby duly seconded the motion. There being none opposed, the motion carried.

Alderman Shea moved that the resolutions pass and be enrolled. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

33. NEW BUSINESS

Mayor Baines requested Jay Taylor address the Board regarding the recommended purchase of the Carol M. Rines Center.

Mr. Taylor stated I believe you're now being handed a copy of a draft Purchase and Sales Agreement relative to this building. In January, if you will recall, you directed staff to proceed to investigate the possibility of purchasing the so-called Rines Center for City purposes. We then engaged the services of Northern Appraisal Associates to do an appraisal of the property and further HTA (Hoyle Tanner Associates) has completed an engineering evaluation of the parking structure which is part of the property and Tim Clougherty has walked through the building itself and the reports that they have provided indicate that the structures are in excellent condition. We were looking at three values here in terms of trying to set a reasonable purchase price: (1) the city assessment which would have been put on the property had the property been taxable was \$2,559,460. Notre Dame College's appraisal came in at \$2.4 million and the City appraisal came in at \$2.1 million. The Purchase and Sale Agreement which is before suggests a purchase price of \$2,352,000 which includes, I might add, both the real estate and all of the equipment and furniture within the building a list of which will be included as part of this agreement. We don't have the entire inventory yet, but it will be included as part of this agreement. I might add as a word you might evaluate what the value of that furniture and equipment is...the cost of furnishing and equipping the City Hall Complex a couple of years ago was something in the order of \$600,000, so I think we're getting a pretty good value for the money. You asked the Planning Department, as I recall at the last meeting, to come back at a subsequent meeting and provide you with some alternatives as to what might fit in the building. My understanding is that they are in the process of doing that as we speak and will come back the second meeting in May to provide that report. I would ask that there is another somewhat sense of urgency here inasmuch as what was mentioned earlier both the OYS and Welfare leases expire at the end of this month and we need to find some solution to their immediate problem. There has also been a temporary agreement negotiated with Mass College and Pharmacy which is continuing to occupy a portion of the building under a temporary agreement which the City has agreed to as part of this Purchase and Sales Agreement which will allow them to continue to occupy the building on a 90-day notice which in the event the City decides to acquire this building will provide some revenue while the City owns it and while the college continues to operate there. I would also ask tonight that we try and confine the discussion to whether or not it's a good idea to proceed with acquiring this building rather than trying to make a determination as to what is actually going to go in there since I don't think there's any answer to that question. So, with that I would be happy to answer any questions.

Mayor Baines stated I have a couple of comments before we proceed. I would also ask the same request of the Board, it makes sense financially, no matter what the final decision is of occupancy. I have asked the Planning staff to expedite the process of coming before the Board with alternatives that the Board can ultimately make decisions on. I want you to know that this has been a very diligent process beginning, I think, the day after the announcement that Notre Dame was closing. A lot of people have been involved in the conversations...most recently, Jay and I and Bill Jabjiniak met with the President of the Mass College of Pharmacy that has acquired part of the program at Notre Dame College...they had a critical issue before them because they're dealing with a program, they needed space, they needed to reassure the students and parents and in the meantime they're looking hopefully for a permanent location of their program here in the City. They've demonstrated a commitment to doing that so we've tried to accommodate their needs as well as well as keep these negotiations on a very professional level which I felt was needed to consummate the process that is before you this evening. So, I urge the Board to act on this matter tonight so we can move forward in a very expeditious way to look at some solutions to some of the problems or challenges we have here in the City.

Alderman Guinta stated I need some clarification regarding the purchase of this site. What will be the specific use assuming we go ahead with the purchase and sale.

Mayor Baines replied that is what we've asked to be delayed. We've asked the Finance Department to analyze all the different options that are out there. No matter what the City ultimately desires to put in there and we know what the various options are, it makes financial sense for us to do that. So, we're asking for the decision to be made...does the City want to purchase the property, do we feel that this is a good deal for the City, have we struck a reasonable agreement on sales price and move forward with the purchase and then the Board will ultimately make the decision of what they would like to place in that facility.

Alderman Guinta stated so we've talked about sales price, we've talked about the Pharmacy College moving in there, we've talked about trying to aid some of the other departments that have leases running at the end of this month, so it does appear to me that there is an intention of who was going to be moving into this building while this process has been moving along.

Mayor Baines replied no, no one will be moving into this building until the Board has decided what the use of this building will be.

Alderman Guinta asked then what would be the purpose of even discussing that...we're talking with the Mass College of Pharmacy...they're in there now and you're talking about extending it.

Mayor Baines stated they're allowed to stay in there with a 90-day notice.

Alderman Guinta stated someone has had discussions with them, I would assume it's your office.

Mayor Baines stated I just explained I discussed it, Jay Taylor was involved, Bill Jabjiniak was involved and the ownership of the property right now is still with Notre Dame. They have agreed to allow them to stay in there and asked us...

Alderman Guinta stated and you've agreed to that based on a Purchase and Sale, okay, that I understand. The second point is with respect to Jay with the issues that you brought up with the City entities that have leases running at the end of this month which are those two entities.

Mr. Taylor replied the Office of Youth Services and Welfare and I guess the Commissioner is here if he wants to address that issue.

Mayor Baines interjected no those are just issues that are out there that the City is going to have to grapple with. Right now, we're looking at becoming a tenant-at-will in those programs until the City makes its final decisions.

Alderman Guinta stated I guess the only reason I bring it up is because those two offices were cited in relation to the purchase of this building, so I am trying to be clear what the intent of the building is and to me it appears that the intent is to move those services into the building.

Mayor Baines reiterated at this point in time there has been no decision by this Board and until there is a decision...if you recall when you were an Alderman-elect we had some preliminary discussions about that, that is as far as it has gone, so there is no decision made and there will be nothing until the Board decides that.

Alderman Guinta stated those two offices are tenancies-at-will or does their tenancy...

Mr. Taylor stated their lease expires at the end of the month and they are trying to negotiate an extension of that existing agreement.

Alderman O'Neil moved to authorize the Mayor to execute a purchase and sales agreement between the City of Manchester and Notre Dame College, with general terms as outlined, for premises known as the Carol M. Rines Center located at 1528 Elm Street and Langdon Street at a price not to exceed \$2,325,000; such execution subject to the review and approval of the City Solicitor. Alderman Shea duly seconded the motion.

Alderman Wihby stated it was \$2.4 million their number, \$2.1 our number, we settled on \$2.325 million but that included furnishings and equipment...the Mayor just said that there's a 90-day termination notice, obviously, he's looking at the Letter of Intent it says "May 1st through July 2003 subject to a 90-day written termination notice to be given by either Notre Dame or Mass College. So, where does that give us permission if we wanted them to get out.

Mr. Taylor replied let's assume for the sake of argument, let's assume we close on this purchase on August 1st. If we wanted them out of the building by the end of the year we simply give them 90-day notice immediately.

Alderman Wihby stated but it says Notre Dame or Mass College, it doesn't say by the City.

Mr. Taylor stated we're going to be party to this agreement.

Alderman Wihby stated let's say we wanted to put all the departments there and we wanted that extra space, with the way this is written within 90 days we can tell them they can't be there anymore.

Mr. Taylor replied that is correct.

Alderman Wihby asked square footage wide how big is it?

Mr. Taylor replied the building's gross square footage is about 43,000 sf.

Alderman Wihby asked how much does the pharmacy take.

Mr. Taylor replied they're going to take about 10,000.

Alderman Wihby stated which leaves us the 24,000 give or take.

Alderman Gatsas stated if we go to line three (deposit) with the amount of money that we are going to be depositing...the twenty-five and the seventy-five, they should at least be in an interest bearing account, escrow account so the interest would be put towards the purchase price; that is just one observation. Another observation is that at this point the only funds that we have incurred in the building is an appraisal, have we incurred other funds?

Mr. Taylor replied no. I guess there were some funds expended in terms of having Hoyle Tanner go through it and take a look at the parking garage but I don't have that number, Frank Thomas might, that's the only other expense that I can think of.

Alderman Gatsas asked, Frank, any number?

Mr. Thomas replied it's a minor amount.

Alderman Gatsas stated but those are the only expenditures.

Alderman Wihby stated didn't you say somebody else was going...

Mayor Baines stated there are issues...we do have the McNinch Gallery that's in there right now and it would be my recommendation that we keep the McNinch Gallery, the McNinch Family as you know donated a lot of money to put that art gallery up there, so our recommendation...again, it would be the final decision of the Board that we keep that art gallery. Do you know the square footage on that?

Mr. Taylor replied, no I don't. It's relatively small.

Alderman Wihby asked how does that fit into this agreement, it's just up to the City if we want.

Mr. Taylor replied that would be our option.

Alderman Gatsas stated, your Honor, I just want to commend you and the rest of the staff for working through this and I can tell you that Dr. Robert Rines...I've met with him in the past and his concern was that his wife's name would still be recognized on the building as the Carol M. Rines Center and obviously I think you've gotten my message from him that his choice, his choice and the family's choice would be to see it as the Carol Rines Senior Center; that was the choice of the family. He is comfortable with the choice...

Mayor Baines stated he is a delightful man and I've had conversations with him and he's very comfortable with the other plans that we might have and he's also discussed that with his family and has assured me that he would be comfortable with any other uses as we described.

Mayor Baines called for a vote on the motion to authorize execution of the Purchase and Sales Agreement. There being none opposed, the motion carried.

Mayor Baines stated I really want to thank the Board for supporting this, a lot of work went into this and again I want to commend the staff and I also want to commend the people at Notre Dame College who have been absolutely terrific to deal with and this is a great move for the City and we thank Notre Dame for allowing us to have the option to purchase.

On motion of Alderman Lopez, duly seconded by Alderman Thibault, it was voted to recess the meeting for a strategy session with the Chief Negotiator to discuss union negotiations.

Mayor Baines called the meeting to order.

There being no further business to come before the Board, on motion of Alderman Lopez, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

City Clerk